

REMARKS

The present remarks are responsive to the Official Action mailed January 6, 2003, the shortened statutory response period expiring on April 7, 2003 and April 6, 2003 being a Sunday.

The Examiner has acknowledged Applicant's claim for foreign priority based on his December 21, 2000 Swedish application. It is believed that a claim for foreign priority and submission of a certified copy of the original foreign application was filed on March 8, 2002. Copies of the claim for priority cover sheet, transmittal of the certified copy from the Swedish Patent Office, and the returned postcard from the United States Patent Office stamped received on March 19, 2002 are attached for your records. Notwithstanding, Applicant is in the process of securing a second certified copy and will forward same upon receipt under separate cover.

The drawings were objected to under 37 C.F.R. § 1.83(a) for failing to detail the location of "a wire magazine" and "a reel." The claims associated with these features, claims 3-5, have been cancelled. As such, Applicant trusts that the objection under 37 C.F.R. § 1.83(a) will be withdrawn.

Claims 2-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 3,157,109 issued to *Flanigan et al.* ("*Flanigan*"). In light of the cancellation of claims 3-5, claims 2 and 6 remain as the only pending claims rejected under 35 U.S.C. § 102(b). In the Examiner's view, *Flanigan* comprises at least feed means, a guide, wire processing means, a take up unit, and spring-loaded feed means. It is the Examiner's contention that these elements anticipate pending claim 2. However, with regard to the spring-loaded feed means, *Flanigan*

discloses springs which are "preferably relatively long low rate springs having sufficient strength merely to take up slack in the wire and to hold the safety brake lever in its designated position without exerting any greater force on the wire than is necessary." (Col. 2, lines 58-62). Claim 2 of the present application requires that the spring-loaded feed means be provided "for damping motion in [the] wire upon the taking up of [the] slack loop by continued feeding of [the] wire." There is no mention of this damping feature in the *Flanigan* reference nor is this feature inherent, as *Flanigan* expressly states that the springs are provided "merely" to take up slack. Use of the term "merely" suggests that the springs are provided only to take up slack, and nothing more. See Merriam-Webster's Collegiate Dictionary, Tenth Edition, 2000, copy attached, defining merely as "being nothing more than." As such, there is simply no teaching that *Flanigan* discloses or suggests springs that are capable of dampening the wire in addition to taking up slack. As claim 2 requires this feature, Applicant trusts that the 35 U.S.C. § 102(b) rejection will be favorably reconsidered.

With regard to newly added claim 7, one of the features of the *Flanigan* invention is that the wire is in constant communication with the rollers 21 which are in turn influenced by the springs 22. In claim 7 of the the present invention, the slack loop 33 becomes completely disengaged from the change of direction pulleys 25, 26, and 27. Thus, in conjunction with the above remarks with respect to claim 2, claim 7 is expected to be in a condition for allowance.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

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If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: April 7, 2003

Respectfully submitted,

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